

Remarks/Arguments

Reconsideration of the present application is respectfully requested in view of the amendments, the following remarks, and the telephone interview of Tuesday, November 23, 2004 between Examiner Olga Hernandez and Kenneth Smith.

Claim Rejections

The Office Action rejected claims 1, 2, 10, 11, 19 and 20 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 5,168,953 to Naito (hereinafter "Naito").

During the telephone interview of Tuesday, November 23, 2004, the current amendments to claims 1, 10, and 19 were discussed, and Examiner Olga Hernandez agreed that amended independent claims 1, 10, and 19 are not anticipated by Naito. Claims 1, 10, and 19 are in condition for allowance.

Claims 2-6, 8, and 9 depend from claim 1 and are also in condition for allowance.

Claims 11-15, 17, and 18 depend from claim 10 and are also in condition for allowance.

Claims 20-24, 26, and 27 depend from claim 19 and are also in condition for allowance.

The Office Action rejected claims 28 and 29 under 35 U.S.C. §102(b) as being anticipated by US Patent No. 5,157,611 to Ikeda et al. (hereinafter "Ikeda et al.").

During the telephone interview of Tuesday, November 23, 2004, the current amendments to claims 28 and 29 were discussed, and Examiner Olga Hernandez agreed that amended independent claims 28 and 29 are not anticipated by Ikeda et al. Claims 28 and 29 are in condition for allowance.

Claim Objections

Claim 9 has been amended to depend from claim 8.

Double Patenting

The Office Action rejected claims 1-29 under 35 U.S.C. 101, double patenting, as claiming the same invention as that of the claims of U.S. Patent No. 6,526,336 (herein "the '336 patent"). During the telephone interview of Tuesday, November 23, 2004, Examiner Olga Hernandez agreed that only originally filed claims 7, 16, and 25 were coextensive in scope with claims of the '336 patent. Claims 7, 16, and 25 depend from currently amended claims 1, 10, and 19 and are therefore no longer drawn to identical subject matter as claims of the '336 patent.

Conclusion

Based on the foregoing amendments and remarks, Applicant believes that all of the pending claims in this case are now in a condition for allowance. If the Examiner believes that additional discussions or information might advance the prosecution of this case, the Examiner should feel free to contact the undersigned at the telephone number indicated below.

Respectfully submitted,

By: 
Kenneth J. Smith (Reg. No. 45,115)
Calfee, Halter & Griswold LLP
(Cust. No. 24024)
800 Superior Avenue - Suite 1400
Cleveland, Ohio 44114-2688
Phone (216) 622-8674
Fax (216) 241-0816